

# PETITION FOR ZONING VARIANCE 85-259-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11B01.2.C.6 (V.P. 6) to permit a side yard setback of 10' in lieu of the required 15' (window to property line).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

House is constructed without a window. Because we are closing an existing bedroom on the second floor, a window is required. Bedroom currently has a window on the rear, but it must be closed in order to build a two story addition, which is needed for additional area for family of six. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property, which is the subject of this petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney for Petitioner:  
(Type or Print Name)  
Address  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
City and State  
Attorney's Telephone No.:

Legal Owner(s):  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature  
Address  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
City and State  
Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of February, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of March, 1985, at 10:00 o'clock.

Charles D. Olkowski, et ux  
Zoning Commissioner of Baltimore County.

(over)

## BALTIMORE COUNTY

## ZONING PLANS ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner  
Date: March 20, 1985  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning  
Zoning Petitions Nos. 85-259-A and 85-260-A  
SUBJECT:

There are no comprehensive planning factors requiring comment on these petitions.

NEG/JGH/sf

Norman E. Gerber, Director  
Office of Planning and Zoning

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE March 14, 1985

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. Joe Godlewski  
2703 Wilshire Avenue  
Baltimore, Maryland 21234

Chairman

## MEMBERS

Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

RE: Item No. 204 - Case No. 85-259-A  
Petitioner - Charles Olkowski, et al  
Variance Petition

Dear Mr. Godlewski:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with this case. The Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. CONNODARI  
Chairman  
Zoning Plans Advisory Committee

Enclosures

cc: Mr. & Mrs. Charles D. Olkowski  
8406 Tachbrook Road  
Baltimore, Md. 21236

85-259-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 19th day of February, 1985.

ARNOLD JABLON  
Zoning Commissioner

Petitioner: Charles D. Olkowski, et ux  
Petitioner's Attorney: Nicholas B. Connodari  
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3211  
NORMAN E. GERBER  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The circulation on this site is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) Varying calculations must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board on [blank].
- ( ) Landscaping: Must comply with Baltimore County Landscape Manual.
- ( ) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ( ) Additional comments: [blank]

cc: James Hoswell  
Eugene A. Bober  
Chief, Current Planning and Development

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

February 8, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Connodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Charles D. Olkowski, et ux  
Location: SW/S Tachbrook Rd. 498' S. from c/l Woodfall Road  
Item No.: 204  
Zoning Agenda: Meeting of 1/29/85

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at [blank] EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] Approved: [Signature]  
Planning Office Fire Prevention Bureau  
Special Inspection Division

/mb

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610  
TED ZALESKI JR.  
DIRECTOR

February 19, 1985

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 204, Zoning Advisory Committee Meeting are as follows:

Property Owner: Charles D. Olkowski, et ux  
Location: SW/S Tachbrook Road 498' S. from c/l Woodfall Road  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance to permit a side yard setback of 10' in lieu of the required 15' (window to property line).

Acres: 52.33/55.26 x 105.00/108.78  
District: 11th.

The items checked below are applicable:

- (X) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Building and other applicable codes.
- (X) A building/other permit shall be required before beginning construction.
- (X) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- ( ) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- ( ) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1007 and Table 1002, also Section 203-2.
- ( ) Requested variance appears to conflict with the Baltimore County Building Code, Section/s [blank].
- ( ) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed changes. Drawings may require a professional seal.
- ( ) Before this office can comment on the above structure, please have the owner, then the services of a Registered Architect or Engineer certify to this office that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- ( ) Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Service) at 111 W. Chesapeake Ave. Towson.

Very truly yours,

Charles E. Burman, Chief  
Plans Review



Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~should~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21 day of March, 1985, that the Petition for Zoning Variance to permit a side yard setback of 10 feet instead of the required 15 feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*[Signature]*  
Zoning Commissioner of  
Baltimore County

AD/srl

cc: Mr. & Mrs. Charles D. Olkowski  
People's Counsel

UNRECEIVED FOR FILING  
DATE March 25, 1985  
BY [Signature]  
MARSHALL J. JONES  
MARSHALL JONES & ASSOCIATES  
BALTIMORE, MARYLAND

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
SW/S Tachbrook Rd., 498' : OF BALTIMORE COUNTY  
S from the Centerline of :  
Woodfall Rd. (8406 Tachbrook Rd.), 11th District :  
CHARLES D. OLKOWSKI, et ux, : Case No. 85-259-A  
Petitioners :  
ENTRY OF APPEARANCE : : : : :

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*[Signature]*  
Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*[Signature]*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 6th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Charles D. Olkowski, 8406 Tachbrook Rd., Baltimore, MD 21236, Petitioners; and Mr. Joe Godlewski, 2703 Wildberger Ave., Baltimore, MD 21234, who requested notification.

*[Signature]*  
Peter Max Zimmerman  
Peter Max Zimmerman

Mr. & Mrs. Charles D. Olkowski  
8406 Tachbrook Road  
Baltimore, Maryland 21236

#### NOTICE OF HEARING

RE: Petition for Variance  
SW/S Tachbrook Rd., 498' S from the c/l  
of Woodfall Rd. (8406 Tachbrook Road)  
Charles D. Olkowski, et ux - Petitioners  
Case No. 85-259-A

TIME: 10:00 A.M.

DATE: Monday, March 25, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Mr. Joe Godlewski  
2703 Wildberger Avenue  
Baltimore, Maryland 21234

*[Signature]*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 003189

DATE 3/21/85 ACCOUNT P.O. 615-000

AMOUNT \$ 35.00

RECEIVED FROM Phyllis Cole Friedman

FOR phyllis for Peter #208

VALIDATION OR SIGNATURE OF CASHIER

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 11th Date of Posting 3/19/85

Posted to Charles D. Olkowski, et ux

Petitioner: Charles D. Olkowski, et ux

Location of property: SW/S of Tachbrook Rd., 498' S of Woodfall Rd.

8406 Tachbrook Rd.

Location of Sign: Front of property, 15' S. boundary of Tachbrook Rd.

8406 Tachbrook Rd.

Remarks:

Posted by [Signature] Date of return: 3/15/85

Number of Signs: 1

#### Petition for Variance

11th Election District

LOCATION: Southwest side of Tachbrook Rd., 498 ft. South of the centerline of Woodfall Road, 8406 Tachbrook Road.

DATE & TIME: Monday, March 25, 1985 at 10:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance to permit a side yard setback of 10 ft. in lieu of the required 15 ft. (window to property line).

Using the property of Charles D. Olkowski, et ux, as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of

Zoning Commissioner of Baltimore County

85-259-A

#### The Times

Middle River, Md., March 7 1985

This is to Certify, That the annexed

Petition

Reg. L 70378

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each

of one successive

weeks before the 7th day of

March, 1985

[Signature] Publisher.

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., March 7, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 7, 1985.

85-259-A  
THE JEFFERSONIAN,  
[Signature]  
Publisher

Cost of Advertising

\$18.00



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

ARNOLD JABLON  
ZONING COMMISSIONER

March 21, 1985

Mr. and Mrs. Charles D. Olkowski  
8406 Tachbrook Road  
Baltimore, Maryland 21236

RE: Petition for Variance  
SW/S Tachbrook Rd., 498' S from the c/l  
of Woodfall Rd. (8406 Tachbrook Road)  
Charles D. Olkowski, et ux - Petitioners  
Case No. 85-259-A

Dear Mr. and Mrs. Olkowski:

This is to advise you that \$43.84 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 005330

DATE 3/21/85 ACCOUNT P.O. 615-001

AMOUNT \$ 43.84

RECEIVED FROM Charles D. Olkowski

FOR Tachbrook Rd. 85-259-A

VALIDATION OR SIGNATURE OF CASHIER

Beginning on the southwest side of Tachbrook Road at the distance of 498' south of the centerline of Woodfall Road. Being lot 15, in the subdivision of Woodfall, which is recorded in the land records of Balto. County in liber 41 folio 41. Also known as 8406 Tachbrook Road.

#### PETITION FOR VARIANCE

11th Election District

LOCATION: Southwest side of Tachbrook Road, 498 ft. South from centerline of Woodfall Road (8406 Tachbrook Road)

DATE AND TIME: Monday, March 25, 1985 at 10:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 10 ft. in lieu of the required 15 ft. (window to property line)

Being the property of Charles D. Olkowski, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



HARRY J. PISTEL, P. E.  
DIRECTOR

March 28, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #204 (1984-1985)  
Property Owner: Charles D. Olkowski, et ux  
S/WS Tachbrook Rd. 498' S. from centerline  
Woodfall Rd.  
Acres: 52.33/55.26 x 105.00/108.78  
District: 11th

Dear Mr. Jablon:

The following comments are furnished in regard to the subject zoning item:

General Comments:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

*James A. Markle*  
JAMES A. MARKLE, P.E., Chief  
Bureau of Public Services

JAM:EAM:PMO:SS



STEPHEN E. COLLINS  
DIRECTOR

February 28, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 197,200,201,202,203,204,205, and 206. ZAC-Meeting of January 29, 1985  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 197,200,201,202,203,204,205, and 206.

*Michael S. Flannigan*  
Michael S. Flannigan  
Traffic Engineering Assoc. II

MSF/ccm

3/25 85-259-A

